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ROUND ROCK RESEARCH LLC

15
16 SANDISK CORPORATION,

17 Plaintiff and Counterclaim Defendant,

18 vs.

19 ROUND ROCK RESEARCH LLC,

20 Defendant and Counterclaim Plaintiff.

21 Case No. 11-cv-05243-RS

22 **STIPULATION AND AMENDED
[PROPOSED] ORDER
MODIFYING CASE
MANAGEMENT SCHEDULING
ORDER AS MODIFIED BY THE COURT**

23
24 Pursuant to Local Rule 7-12 and 16-2(e), Plaintiff and counterclaim defendant SanDisk
25 Corporation (“SanDisk”) and defendant and counter-claim plaintiff Round Rock Research LLC
26 (“Round Rock”) hereby stipulate to modify the Claim Construction portion of the Case Management
27 Scheduling Order entered by the Court on April 6, 2012. On May 3, 2012, subsequent to the
28

1 issuance of the Case Management order, SanDisk filed an amended complaint adding a twelfth cause
 2 of action for declaratory relief with respect to U.S. Patent No. 6,845,053 ("the '053 patent"). Round
 3 Rock filed a counterclaim for infringement of the '053 patent on May 17, 2012, and SanDisk filed its
 4 reply on May 31, 2012. In an effort to incorporate the '053 patent into the Claim Construction
 5 schedule and to resolve various disagreements between the parties regarding discovery and
 6 disclosures, the parties have agreed to modify the Claim Construction Schedule as follows:

ACTIVITY	CURRENT DATE	NEW DATE
SanDisk to serve invalidity contentions for all patents except the '053 patent; SanDisk to produce documents pursuant to Patent L.R. 3-4(b) for all patents except the '053 patent	June 15, 2012	June 15, 2012
Round Rock to serve updated infringement contentions to specifically identify accused products in its claim charts, including which claims/which products for the '053 patent	--	June 29, 2012
SanDisk to serve its invalidity contentions on the '053 patent and provide 3-4(a) document production as to all accused products and 3-4(b) production with regard to the '053 patent	--	July 27, 2012
SanDisk to supplement its response to Round Rock Interrogatory No 1 based upon Round Rock's updated infringement contentions	--	July 27, 2012
Parties to exchange proposed terms for construction in accordance with Patent L.R. 4-1(b)	June 29, 2012	August 3, 2012
The parties shall exchange preliminary claim constructions and extrinsic evidence	July 20, 2012	August 24, 2012
Parties shall file their joint claim construction and prehearing statement	August 14, 2012	September 18, 2012
Claim construction discovery shall be completed	September 14, 2012	October 19, 2012
Round Rock shall file its opening claim construction brief	September 27, 2012	October 25, 2012
SanDisk shall file its responsive claim construction brief	October 11, 2012	November 8, 2012
Round Rock shall file its claim construction reply brief	October 18, 2012	November 15, 2012
A Tutorial shall take place in Courtroom 3, 17 th Floor, 450 Golden Gate Avenue, San Francisco, California at 10:00 a.m.	November 5, 2012	January 7, 2013 @ 10:00 am December 10, 2012
A Claim Construction Hearing shall take place in Courtroom 3, 17 th Floor, 450 Golden Gate Avenue, San Francisco, California at 10:00 a.m.	November 7, 2012	January 9, 2013 @ 10:00 am December 12, 2012

1 Pursuant to Local Rule 16-2(d)(4), the parties agree that these proposed changes will not alter
2 any ADR process or affect other dates set forth in the Court's April 6, 2012 Case Management Order
3 (e.g., this stipulation does not impact discovery cut-off or expert discovery).

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5 Dated: June 8, 2012

VINSON & ELKINS LLP

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7 By: /s/ Chuck P. Ebertin
Chuck P. Ebertin

8 Attorneys for Plaintiff and Counterclaim
9 Defendant SANDISK CORPORATION

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11 Dated: June 8, 2012

DESMARAIS LLP

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13 By: /s/ John C. Spaccarotella
John C. Spaccarotella (*admitted pro hac vice*)

14 Attorneys for Defendant and Counterclaim
15 Plaintiff ROUND ROCK RESEARCH LLC

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18 **GENERAL ORDER 45, SECTION X.B.**

19 I, Chuck P. Ebertin, hereby attest that John Spaccarotella has concurred in the filing of this
20 document.

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22 By: /s/ Chuck P. Ebertin
Chuck P. Ebertin

[PROPOSED] ORDER

Pursuant to the above stipulation, **IT IS SO ORDERED.**

Dated: June 11, 2012

A blue ink signature of the name "Richard Schaefer" on a white background.

Honorable Richard Seeborg
United States District Judge